



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

MM22/0307

KING AND SCHICKLI
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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/156,078	09/17/98	022	HQ, A	2876 03/07/00
First Named Applicant	LAURILA, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION X-RAY FLUORESCENCE ELEMENTAL ANALYZER

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 566-001	378-045.000	J19	UTILITY	YES	\$605.00	06/07/00

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/156,078	09/17/98	LAURILA	M 566-001

MM22/0307

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EXAMINER

HO, A

ART UNIT

PAPER NUMBER

2876

DATE MAILED:

03/07/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Notice of Allowability

Application No.

09/156,078

Examiner

Allen C. Ho

Applicant(s)

LAURILA et al.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

1. ☒ This communication is responsive to amendment filed on 15 February 2000.
2. ☒ The allowed claim(s) is/are 1,3-6,8,9,11-13 and 16-27.
3. ☐ The drawings filed on _____ are acceptable.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) ☐ All b) ☐ Some* c) ☐ None of the CERTIFIED copies of the priority documents have been
 1. ☐ received.
 2. ☐ received in Application No. (Series Code / Serial Number). _____
 3. ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be available under the provisions of 37 CFR 1.136(a).

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. ☒ Applicant MUST submit NEW FORMAL DRAWINGS
 - (a) ☐ because the originally filed drawings were declared by applicant to be informal.
 - (b) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review(PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No. _____
 - (c) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (d) ☐ including changes required by the attached Examiner's Amendment / Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>9</u> |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew D. Dorisio (Reg. No. 41,713) on March 3, 2000.

The application has been amended as follows:

(1) [Claim 18 is amended as follows:]

18. (Amended) An apparatus for online elemental analysis comprising:
at least one X-ray source for directing X-rays toward the sample;
at least one X-ray fluorescence detector for detecting X-ray fluorescence from the sample and for producing signals in response thereto, said at least one X-ray fluorescence detector being disposed in a backscattering geometry; and
an analyzer for determining the elemental composition of said sample based on the signals received from said at least one X-ray fluorescence detector;
said at least one X-ray source being characterized by a transmission axis and said at least one X-ray fluorescence detector being characterized by a detection axis, said X-ray transmission axis and said detection axis being parallel to each other and normal to the sample surface.

(2) [Claim 19 is amended as follows:]

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19. (Amended) An apparatus for the online detecting or analyzing of the elements in a sample comprising:

at least two X-ray sources for directing X-rays toward the sample; and

at least one X-ray fluorescence detector for detecting X-ray fluorescence from the sample and for producing signals in response to said X-ray fluorescence, wherein said X-ray fluorescence detector is mounted between said at least two X-ray sources in a backscattering geometry.

2. The following is an examiner's statement of reasons for allowance:

The allowable subject matter in claims 1 and 23 refers to mounting the x-ray detector within two inches of the sample. The allowable subject matter in claims 18 and 19 refers to detecting the x-ray fluorescence in a backscattering geometry.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen C. Ho whose telephone number is (703) 308-6189. The examiner can normally be reached on Monday - Friday from 8:00 am - 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald T. Hajec can be reached at (703) 308-4075. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0530.

Allen C. Ho
March 6, 2000


DAVID V. BRUCE
PRIMARY EXAMINER